



October 31, 2018

The Honorable Board of Supervisors
San Diego County
1600 Pacific Coast Highway #335
San Diego, CA 92101

Re: San Diego County TRUTH Act Forum on November 13, 2018

Dear Supervisors:

I write you today on behalf of the San Diego Immigrant Rights Consortium (SDIRC), which is composed of more than fifty organizations representing faith, community, labor and legal interests throughout San Diego County. We are united in our work for (i) comprehensive immigration reform (ii) advancement of pro-immigrant policies (iii) dissemination of know your rights information and resources for immigrants, and (iv) public education.

We recently became aware of the San Diego County Transparent Review of Unjust Transfers and Holds (“TRUTH”) Act Forum scheduled for November 13, 2018 and respectfully request the following changes to make this important public forum more accessible and meaningful to your constituents:

1. Reschedule the forum to Tuesday, November 27, 2018 at 6:00 PM to ensure it is accessible to more of the public.
2. Make translation services available to County residents attending the forum to encourage strong and informed participation.
3. Incorporate a community presentation into the forum.
4. Request the presence of Sheriff Gore to hear public opinion and to provide information during the forum.

I. Request #1: Reschedule the forum to Tuesday, November 27, 2018 at 6:00 PM to ensure it is accessible to more of the public.

While the 30-day notice requirement was met for the San Diego County TRUTH Act Community Forum, a significant number of relevant stakeholders and community members were not invited to be a part of the planning process and only learned of the forum through the County GovDelivery email alert system. In order to meet our shared goal of getting public input for this forum, we respectfully request for it to be rescheduled to Tuesday, November 27th at 6:00 PM to make it more accessible for community members.

Rescheduling to November 27 will allow us more time to meet with the San Diego County Board of Supervisors as a means to better inform the structure of the forum. This will ensure it fosters full community participation and creates accountability and transparency regarding how the San Diego Sheriff's Office (SDSO) works with Immigration and Customs Enforcement (ICE).

In addition, convening at 9:00 AM on a weekday is not accessible to most people who work during this time. Given the TRUTH Act's requirement for the Board of Supervisors to consider public comment¹, it is vital that the forum be set at a time that allows County residents to be present to ask questions and voice their concerns. The impact of collusion between local law enforcement and ICE is deeply troubling to many County residents. Impacted residents should have the opportunity to attend this forum to share their thoughts with their elected representatives. For these reasons, we urge the Board to move the forum to 6:00 PM to allow more people to attend.

II. Request #2: Make translation services available for community members that attend the forum to encourage strong and informed participation.

In order to ensure the greatest possible public participation in this important forum, particularly County residents who have a preferred language other than English, to be a part of the forum, we request translation services in addition to making any presentations and handouts utilized as part of the forum available in the County's top five threshold languages. Any visual communications materials used as part of the forum such as presentations or handouts should be printed out and made available for attendees to reference as they are being referenced in English. Public comments done both in-person and submitted via email before the forum should also be considered in languages other than English and translated for the Supervisors during the forum.

III. Request #3: Incorporate a community presentation as part of the forum.

SDIRC has been closely monitoring how the SDSO works with Department of Homeland Security (DHS) agencies, most notably through the implementation of the TRUTH Act (AB 2792) and the California Values Act (SB 54). Since the beginning of 2018, SDIRC members have successfully met with all Police Departments in the County in addition to the Sheriff's Department to ensure updated local law enforcement policies are in compliance with the current state law. Given our expertise in these issues, we urge the Board of Supervisors to grant a time during the forum for SDIRC to give a community presentation. The community presentation would give an overview of how we're seeing SDSO work with DHS agencies, share community concerns regarding current SDSO practices and offer recommendations to build and strengthen public trust. This perspective will give the Board of Supervisors a better understanding of how SDSO and ICE collaboration is affecting their constituents.

IV. Request #4: Request the presence of Sheriff Gore to hear public opinion and to provide information during the forum.

¹ Cal. Gov. Code § 7283.1(d)

It is vital that Sheriff Gore be present during the forum to equip the Board and the public with information pertaining to how SDSO works with ICE. We urge the Board of Supervisors to request that Sheriff Gore remain present for the duration of the forum to hear and respond to public opinion, questions and comments made by the Board of Supervisors and County residents.

We specifically request that Sheriff Gore address the following questions during the TRUTH Act Forum:

General Questions:

- What is the SDSO's current policy regarding work with DHS agencies, including but not limited to ICE and Customs and Border Protection (CBP)?
- How is the SDSO implementing the TRUTH Act (AB 2792)?
- How is the SDSO implementing the California Values Act (SB 54)?
- Does ICE have any access to the SDSO booking process?
- What changes, if any, are there in the number of crimes being reported, particularly domestic violence, to the SDSO since 2017?
- Does SDSO use Border Patrol as translators in the field?
- When did SDSO begin posting inmate's release dates publicly online? What brought about this practice?
- If County residents suspect SDSO of a violation of the TRUTH Act or the California Values Act, to whom at SDSO should they report their concerns?
- How is the SDSO working to build and strengthen public trust throughout the County?

ICE Requests:

- What protocol does SDSO use before responding to a request from ICE? How has this changed from 2017 to 2018?
- Data showing how many ICE requests (including but not limited to ICE holds, notifications and transfer requests) SDSO has responded to since 2017.
 - This data should be broken down per month to identify the following:
 - how many requests each SDSO facility received, respectively,
 - the city of residence for each individual that SDSO responded to an ICE request for.

TRUTH Act Implementation Questions:

- Data showing how many individuals have (i.) accepted, (ii.) accepted with an attorney, or (iii.) denied an ICE interview since January 1, 2017 from each respective SDSO facility.
- How long it typically takes SDSO personnel to notify a person's attorney or designee if the department chooses to notify ICE of a person's release date and time?
- How is a person's attorney or designee notified under the TRUTH Act?
- How many people request a TRUTH Act form in a language other than English? How do SDSO officers know which language the individual is requesting a form in?

ICE Access to Jails:

- Does ICE have access to the County jails? If so, what areas of the jail?

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- Does ICE have an office within the County jails?
- How often is ICE frequenting the jails and for what purposes?
 - What system is used (such as a log-in sheet) to track when ICE agents are accessing the jails like a log-in sheet?
- How has ICE access to SDSO jails changed since 2017?

Databases and Joint Task Forces:

- To which SDSO databases does ICE have access? How does SDSO ensure that personally identifiable information is not contained within these databases?
- On which joint task forces does the SDSO serve where a DHS agency member also serves?
 - What is the scope of work for each task force?
 - How are the field operations of these joint task forces accountable to the public?
- What process does the SDSO utilize to collect data on its participation on joint task forces to be submitted to the California Attorney General by January 19, 2019, as required by the California Values Act²?

If the request to reschedule the date and time of the TRUTH Act Forum is denied, we respectfully request the Board of Supervisors to arrange for a second community forum in 2018 that intentionally involves immigrant rights organizations and community members in the planning stages and for the forum to take place at 6:00PM to make it more accessible to the community.

If you have any questions about our requests and/or our concerns, please contact Felicia Gomez with the California Immigrant Policy Center via email at fgomez@caimmigrant.org or via phone at (760) 822-4809.

Thank you for supporting the law and the public's need for transparency.

Sincerely,



Lillian Serrano
Chair

The San Diego Immigrant Rights Consortium (SDIRC)

The San Diego Immigrant Rights Consortium is made up of the following organizations:

2-1-1 San Diego

ABA Immigrant Justice Project

Alliance San Diego

² Cal. Govt. Code § 7284.6(c)(1).

Alianza Comunitaria
Alliance for African Assistance
American Civil Liberties Union of San Diego & Imperial Counties (ACLU)
American Immigration Lawyers Association — San Diego Chapter
American Friends Service Committee - US-Mexico Border Program
American Red Cross of San Diego/Imperial Counties
Anti-Defamation League San Diego Regional Office
Aguilas del Desierto
Asian Pacific American Labor Alliance
California Immigrant Policy Center
Casa Familiar
Catholic Charities Diocese of San Diego
The Center
Christ Ministry Center
City of San Diego Human Relations Commission
Council on American-Islamic Relations
Crossroads Justice Center of San Diego
Employee Rights Center
Espacio Migrante
First Unitarian Universalist Church of San Diego
Global Immersion Project
Human Rights Council of Oceanside
Immigration Center for Women and Children
Immigration Lawyers Acting in the Community
International Rescue Committee (IRC)
Jewish Family Services of San Diego
Justice Overcoming Boundaries
Karen Organization of San Diego
Labor Council of San Diego & Imperial Counties
Legal Aid Society — Employment Law Center (San Diego Workers' Rights Clinic)
MAAC Project
M.E.Ch.A of San Diego State University
National Asian Pacific Women's Forum—San Diego –
National Latino Research Center at CSU San Marcos

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North County Immigration Task Force
Partnership for the Advancement of New Americans
San Diego Border Dreamers
Somali Bantu Association of America
Southern California Immigration Project
Survivors of Torture, International
Unitarian Universalist Refugee & Immigration Services
United Domestic Workers
United Taxi Workers of San Diego
Unite Here Local 30
Universidad Popular

CC: Sheriff Gore and San Diego County Counsel